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DANIELS &amp; DANIELS



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**FACSIMILE MEMORANDUM**

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**TO:** Attention James Johnson (USPTO) (0960-021)  
**FAX #:** (703) 746 4060  
**FROM:** Lynette M. Bailey, Paralegal  
**DATE:** April 12, 2002  
**RE:** U.S. Patent Application 10/010,894 filed 11/8/2001

Attached is a copy of the Notice of Incomplete Reply (Nonprovisional), which we have received from the USPTO. We filed a subsequent Response to File Missing Parts on February 28, 2002 and a copy of the Response as filed is attached hereto.

Please enter the referenced information as having been filed in a timely manner. Thank you.

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APR 08 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/010,894	11/08/2001	Robert P. Basil	0960-021

26108  
DANIELS & DANIELS, P.A.  
SUITE 200, GENERATION PLAZA  
1822 N.C. HIGHWAY 54, EAST  
DURHAM, NC 27713

CONFIRMATION NO. 4228

## FORMALITIES LETTER



\*OC000000007783208\*

Date Mailed: 04/03/2002

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## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

Technology Center 2600

The U.S. Patent and Trademark Office has received your reply on 02/26/2002 to the Notice to File Missing Parts (Notice) mailed 01/03/2002 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Robert P. Basil, Gordon Thomas Mitchell, Bradley Richard Ree*

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY



DANIELS &amp; DANIELS, P.A.

February 28, 2002

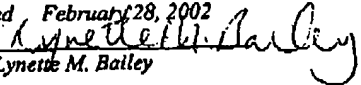
Assistant Commissioner for Patents  
BOX MISSING PARTS  
Washington, D.C. 20231



I hereby certify that this correspondence is being  
deposited with the United States Postal Service with  
sufficient postage as first class mail in an envelope  
addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dated February 28, 2002

By:   
Lynette M. Bailey

RE: U.S. Patent Application Serial No. 10/010,894 for  
DATA SCRAMBLING SYSTEM FOR A SHARED TRANSMISSION MEDIA  
Based on U.S. Provisional Application Serial No. 60/246,684 filed November 8, 2000  
Docket No. 0960-021

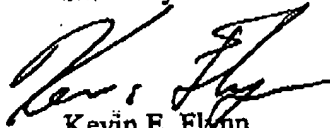
Dear Sir:

Enclosed herewith, please find the following documents:

1. Copy of Notice to File Missing Parts of Nonprovisional Application;
2. Facsimile copy of an executed Declaration from Robert P. Basil, Gordon Thomas Mitchell and Bradley Richard Ree;
3. Fee transmittal (in duplicate) with a check for \$65; and
4. Return receipt postcard.

Please contact the undersigned should you have any questions.

Sincerely



Kevin E. Flynn  
Reg. No. 37,325

Enclosures

P:\CL\0960-021\Prosecution\Response Fwd. PTO.doc

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Technology Center 2600

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 65.00**Complete if Known**

Application Number	10/010,894
Filing Date	11/08/2001
First Named Inventor	Basil et al.
Examiner Name	Not Assigned
Group Art Unit	2611
Attorney Docket No.	0960-021

**METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number   
Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

**SUBTOTAL (1) (\$)** 0.00**2. EXTRA CLAIM FEES**

Total Claims  Extra Claims  Fee from below  Fee Paid   
Independent Claims  -20\*\* =  X   
Multiple Dependent Claims  -3\*\* =  X

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)** 0.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,980	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (lines number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) 

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 65.00**SUBMITTED BY**

Name (Print/Type)	Kevin E. Flynn	Registration No. (Attorney/Agent)	37,325	Telephone	(919) 544 5444
Signature		Date	02/28/2002		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20591. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Received from &lt;9195449738&gt; at 4/12/02 2:22:49 PM [Eastern Daylight Time]



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Basil et al.	Attorney Docket:	0960-021
Serial No:	10/010,894	Examiner:	Not Assigned
Filed:	11/08/2001	Art Unit:	2611
TITLE: CAPACITY SCALING AND FUNCTIONAL ELEMENT REDISTRIBUTION WITHIN AN IN-BUILDING COAX CABLE INTERNET ACCESS SYSTEM			

**Response to Notice to File Missing Parts of Nonprovisional Application****RECEIVED**

JUN 05 2002

Assistant Commissioner for Patents  
Box Missing Parts  
Washington D.C. 20231

Technology Center 2600

This communication is in response to the "Notice to File Missing Parts of Nonprovisional Application" mailed January 3, 2002 for which a response is due by March 3, 2002. A check in the amount of \$65.00 for the surcharge is submitted herewith.

The executed Declaration signed by Mrs. Dorothy Terry as Executor of the estate of her late husband John Brian Terry, deceased inventor of the above-identified application was submitted on February 5, 2002, together with the \$65.00 surcharge.

The completed Declaration executed by the remaining inventors is submitted herewith, together with a check for an additional \$65.00 surcharge.

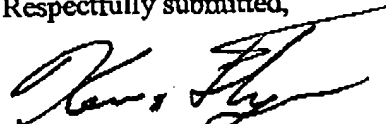
Applicant's attorney submits herewith the following:

1. Copy of Notice to File Missing Parts of Nonprovisional Application;
2. Facsimile copy of an executed Declaration from Robert P. Basil, Gordon Thomas Mitchell and Bradley Richard Ree;
3. Fee transmittal (in duplicate) with a check for \$65; and
4. Return receipt postcard.

Sent with Certificate of Mailing included.

Dated: February 28, 2002

Respectfully submitted,



Kevin E. Flynn Reg. No. 37,325

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email Kflynn@daniels.com

Enclosures

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